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COMPLIANCE WITH ARMS LIMITATION AND DISARMAMENT AGREEMENTS

Report of the First Committee

Rapporteur: Mr. Macaire KABORE (Burkina Faso)

I. INTRODUCTION

1. The item entitled "Compliance with arms limitation and disarmament agreements" was included in the provisional agenda of the forty-eighth session in accordance with General Assembly resolution 46/26 of 6 December 1991.

2. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 14 October, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 57 to 75 and 77 to 82. The deliberations on those items took place at the 3rd to 14th meetings, on 18 to 22, 25, 26 and 28 October (see A/C.1/48/SR.3-14). Consideration of draft resolutions on those items took place at the 18th to 23rd meetings, on 3 to 5, 8 and 9 November (see A/C.1/48/SR.18-23). Action on draft resolutions on those items took place at the 24th to 30th meetings, on 11, 12, 15, 16, 18 and 19 November (see A/C.1/48/SR.24-30).

4. In connection with item 59, the First Committee had before it the following documents:

(a) Note by the Secretary-General transmitting the report of the Director-General of the International Atomic Energy Agency concerning non-compliance with safeguards obligations (A/48/133-S/25556);

(b) Letters dated 30 March and 2 April 1993 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General (A/48/126 and A/48/128);

(c) Letter dated 4 August 1993 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General transmitting the final document of the third Ibero-American Summit of Heads of State and Government, held at Salvador, Brazil on 15 and 16 July 1993 (A/48/291-S/26242 and Corr.1 and 2);

(d) Letter dated 6 October 1993 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General (A/48/484-S/26552).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/48/L.47

5. At the 23rd meeting, on 9 November 1993, the representative of the United States of America, on behalf of Argentina, Australia, Austria, Belarus, Belgium, Belize, Bulgaria, Cameroon, Canada, Chile, the Czech Republic, Denmark, El Salvador, Estonia, Finland, France, the Gambia, Germany, Ghana, Greece, Grenada, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Liberia, Luxembourg, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Rwanda, Saint Lucia, Senegal, Sierra Leone, Slovakia, Spain, Sweden, Thailand, Togo, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Compliance with arms limitation and disarmament agreements" (A/C.1/48/L.47), which was later also sponsored by Costa Rica, Latvia, Lithuania, Panama and the former Yugoslav Republic of Macedonia.

6. At its 26th meeting, on 15 November, the Committee adopted draft resolution A/C.1/48/L.47 without a vote (see para. 7).

III. RECOMMENDATION OF THE FIRST COMMITTEE

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Compliance with arms limitation and disarmament agreements

The General Assembly,

Recalling its resolution 46/26 of 6 December 1991 and other relevant resolutions on the question,

Recognizing the abiding concern of all Member States for maintaining respect for rights and obligations arising from treaties and other sources of international law,

Convinced that observance of the Charter of the United Nations, relevant treaties and other sources of international law is essential for the strengthening of international security,

Mindful, in particular, of the fundamental importance of full implementation and strict observance of agreements and other obligations on arms

limitation and disarmament if individual nations and the international community are to derive enhanced security from them,

Stressing that any violation of such agreements and other obligations not only adversely affects the security of States parties but can also create security risks for other States relying on the constraints and commitments stipulated in those agreements and other obligations,

Stressing also that any weakening of confidence in such agreements and other obligations diminishes their contribution to global or regional stability and to further disarmament and arms limitation efforts and undermines the creditability and effectiveness of the international legal system,

Recognizing, in this context, that full compliance by parties with existing agreements and the resolving of compliance concerns effectively can, inter alia, facilitate the conclusion of additional arms limitation and disarmament agreements,

Believing that compliance with arms limitation and disarmament agreements by States parties is a matter of interest and concern to all members of the international community, and noting the role that the United Nations has played and should continue to play in that regard,

Convinced that resolution of non-compliance questions that have arisen with regard to arms limitations and disarmament obligations would contribute to better relations among States and the strengthening of world peace and security,

Welcoming the universal recognition of the critical importance of the question of compliance with and verification of arms limitation and disarmament agreements and other obligations,

1. Urges all States parties to arms limitation and disarmament agreements to implement and comply with the entirety of the spirit and provisions of such agreements;

2. Calls upon all Member States to give serious consideration to the implications that non-compliance with arms limitation and disarmament obligations has for international security and stability, as well as for the prospects for further progress in the field of disarmament;

3. Also calls upon all Member States to support efforts aimed at the resolution of non-compliance questions, with a view to encouraging strict observance by all parties of the provisions of arms limitation and disarmament agreements and maintaining or restoring the integrity of such agreements;

4. Welcomes the role that the United Nations has played in restoring the integrity of certain arms limitation and disarmament agreements and in the removal of threats to peace;

5. Requests the Secretary-General to continue to provide assistance that may be necessary in restoring and protecting the integrity of arms limitation and disarmament agreements;

6. Encourages efforts by States parties to develop additional cooperative measures, as appropriate, that can increase confidence in compliance with existing arms limitation and disarmament obligations and reduce the possibility of misinterpretation and misunderstanding;

7. Notes the contribution that verification experiments and research can make and already have made in confirming and improving verification procedures for arms limitation and disarmament agreements under study or negotiation, thereby providing an opportunity, from the time that such agreements enter into force, for enhancing confidence in the effectiveness of verification procedures as a basis for determining compliance;

8. Decides to include in the provisional agenda of its fiftieth session an item entitled "Compliance with arms limitation and disarmament obligations".